

The SIECUS State Profiles



DELAWARE

DELAWARE'S SEX ED SNAPSHOT

THE STATE OF SEX EDUCATION

Advocates have worked tirelessly over the past nine years to advance sex education in Delaware, most recently culminating in the passage of [Senate Bill 78](#). Sponsored by Senator Nicole Poole and Senator Stephanie Hansen, the legislation now requires schools to include age-appropriate and evidence-informed instruction on consent and personal boundaries for students in grades 7-12, marking a significant advancement to sex education requirements statewide.

In 2018, Governor John Carney [issued an executive order](#) to draft a policy to increase protections against discrimination for young people in Delaware that included the ability of students to self-identify their race and gender without parental consent. Following significant backlash, education officials revised the plan to require parental consent for such requests.

Delaware schools are required to provide what is referred to as “comprehensive sex education.” However, **curriculum must stress abstinence and is not required to be medically accurate or include instruction sexual orientation or gender identity and, therefore, does not meet the [nationally recognized standards](#) for comprehensive sex education.** It has been [reported](#) that A Door of Hope, a crisis pregnancy center (CPC) provides abstinence-only instruction to some schools in Delaware. CPCs, also referred to as fake clinics, attract individuals trying to access reputable reproductive health care and provide false, manipulative information about abortion care. Unfortunately, crisis pregnancy centers have increasingly received federal funding to deliver abstinence-only instruction [nationwide](#).

This gap in curriculum has compelled advocates from across the state to implement programming to ensure youth have access to comprehensive sex education. Organizations such as Planned Parenthood of Delaware and Children and Families First: A Resource Center for Youth provide medically accurate and age-appropriate sex education to young people in schools and the community. Additionally, AIDS Delaware provides comprehensive HIV/AIDS education programs. Planned Parenthood of Delaware also provides sex education to young people and adults with developmental disabilities and workshops for parents, guardians, and educators to support them. The Wilmington Teen Pregnancy Council (WTPC) is made up of members of Delaware youth-serving organizations and hosts two professional development events per year. These events feature topics related to teen pregnancy and sexual health. Further, the Delaware Division of Public Health has implemented evidence-based sex education training to provide added support for educators.

Right now, advocates can take action by contacting their local school boards. They can also determine what is missing from sex education instruction, such as curriculum that is medically accurate and comprehensive or instruction on topics such as sexual orientation and gender identity or contraceptives. They can then vocalize the important need for advancing sex education requirements in their community. Further, advocates can contact their representatives to discuss the critical need for advancing comprehensive sex education requirements and increasing funding to expand the existing efforts of organizations such as Planned Parenthood of Delaware. Advocates are encouraged to use the SIECUS [Community Action Toolkit](#) to guide local efforts to advance sex education.

STATE SEX EDUCATION POLICIES AND REQUIREMENTS AT A GLANCE

- Delaware schools are required to teach sex education as part of the Comprehensive Health Education Program required in grades K-12.
 - Delaware statute states that curriculum must be comprehensive. However, the state's standards do not meet the [nationally recognized standards](#) for comprehensive sex education.
 - Curriculum must stress abstinence.
- Curriculum is not required to include instruction on sexual orientation or gender identity.
- Curriculum is required to include instruction on consent.
- Delaware has no standard regarding the ability of parents and guardians to remove their children from sex education instruction.
- Delaware has no standard regarding medically accurate sex education instruction. However, curriculum on consent must be evidence informed.

STATE HOUSE HIGHLIGHTS

This section highlights sex education bills that were introduced during the 2019 state legislative session as well as bills that have been introduced thus far in 2020. These proposed bills provide a brief overview of both recent and current legislative action taken to advance or restrict sex education. For a more comprehensive look at relevant legislation concerning sex education and related topics such as reproductive health care, LGBTQ rights, and HIV/AIDS, continue reading on to the “State Legislative Activity” section of Delaware’s profile.

2019 Legislative Session

[Senate Bill 78](#), (passed):

- Requires curriculum to include age and developmentally appropriate instruction on consent and personal boundaries.

MORE ON SEX ED IN DELAWARE

STATE LAW

[Delaware Administrative Code title 14, § 851](#) requires sex education as part of K-12 health education. This education must be coordinated by an employee in each school district and overseen by a District Consolidated Application Planning Committee. The committee must consist of teachers, parents, school nurses, community leaders, law enforcement, and other community members “with expertise in the areas of health; family life; and safe and drug-free schools and communities.” Sex education must include a HIV prevention program “that stresses the benefits of abstinence from high-risk behaviors.”

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Delaware administrative code also sets a minimum number of hours for “comprehensive health education and family life education.” For students in grades K-4, the minimum is set at 30 hours per grade, 10 of which must be dedicated to drug and alcohol education. In grades five and six, the minimum is set at 35 hours per grade, 15 of which must be dedicated to drug and alcohol education. In grades seven and eight, the minimum is set at 60 hours per grade, 15 of which must be dedicated to drug and alcohol education. In order to graduate high school, students must receive 0.5 credits of comprehensive health education.

Delaware statute does not require parental permission for students to participate in sexuality or HIV education.

STATE STANDARDS

Sex education courses must also follow the [Delaware Health Education Standards](#) and the courses must include instruction on decision-making skills and the ability to practice health-enhancing behaviors. The Department of Education also provides model curricula [online](#) for educators.

STATE LEGISLATIVE ACTIVITY

State legislative activity related to sex education does not take place in isolation from the broader embroiled political and policy climate. Attacks on the rights of lesbian, gay, bisexual, transgender, queer, or questioning (LGBTQ) individuals, and efforts to limit access to abortion care and other reproductive health care services prevent students from receiving comprehensive sex education and accessing sexual and reproductive health care services. Below are highlights of current legislative activity related to these topics. Delaware’s 2020 legislative session convened January 13, 2020.

2019 SESSION: ADJOURNED JUNE 30, 2019

TITLE	DESCRIPTION	STATUS
HOUSE BILL 52	PROHIBITS ANY PERSONS FROM ATTEMPTING, PERFORMING, OR INDUCING AN ABORTION AFTER 20 WEEKS POST-FERTILIZATION AND CLASSIFIES THE ACT AS A CLASS D FELONY.	DIED IN THE HOUSE COMMITTEE ON HUMAN DEVELOPMENT
SENATE BILL 21	PROHIBITS ANY PERSONS FROM ATTEMPTING, PERFORMING, OR INDUCING AN ABORTION AFTER 20 WEEKS POST-FERTILIZATION AND CLASSIFIES THE ACT AS A CLASS D FELONY.	DIED IN THE SENATE COMMITTEE ON SUNSET
SENATE BILL 78	REQUIRES EACH SCHOOL DISTRICT TO PROVIDE AGE AND DEVELOPMENTALLY APPROPRIATE, EVIDENCE INFORMED INSTRUCTION ON CONSENT AND PERSONAL BOUNDARIES.	ENACTED

LEGISLATIVE KEY

<p>SEX EDUCATION REPRODUCTIVE HEALTH CARE SEXUAL ORIENTATION AND GENDER IDENTITY HIV/AIDS (THAT IMPACTS YOUTH)</p>

YOUTH SEXUAL HEALTH DATA

Young people are more than their health behaviors and outcomes. While data can be a powerful tool to demonstrate the sex education and sexual health care needs of young people, it is important to be mindful that these behaviors and outcomes are impacted by systemic inequities present in our society that affect an individual's sexual health and well-being. To learn more about Delaware's Youth Risk Behavior Survey (YRBS) results, [click here](#).

DELAWARE SCHOOL HEALTH PROFILES DATA

In 2019, the Centers for Disease Control and Prevention (CDC) released the School Health Profiles, which measure school health policies and practices and highlight which health topics were taught in schools across the country. Since the data were collected from self-administered questionnaires completed by schools' principals and lead health education teachers, the CDC notes that one limitation of the School Health Profiles is bias toward the reporting of more positive policies and practices. In the School Health Profiles, the [CDC identifies 20 sexual health education topics](#) as critical for ensuring a young person's sexual health. Below are key instruction highlights for secondary schools in Delaware as [reported](#) for the 2017–2018 school year.

Reported teaching all 20 critical sexual health education topics

- 30.2% of Delaware secondary schools taught students all 20 critical sexual health education topics in a required course in any of grades 6, 7, or 8.
- 75.0% of Delaware secondary schools taught students all 20 critical sexual health education topics in a required course in any of grades 9, 10, 11, or 12.

Reported teaching about the benefits of being sexually abstinent

- 59.5% of Delaware secondary schools taught students about the benefits of being sexually abstinent in a required course in any of grades 6, 7, or 8.
- 92.9% of Delaware secondary schools taught students about the benefits of being sexually abstinent in a required course in any of grades 9, 10, 11, or 12.

Reported teaching how to access valid and reliable information, products, and services related to HIV, other STDs, and pregnancy

- 59.5% of Delaware secondary schools taught students how to access valid and reliable information, products, and services related to HIV, other STDs, and pregnancy in a required course in any of grades 6, 7, or 8.
- 93.1% of Delaware secondary schools taught students how to access valid and reliable information, products, and services related to HIV, other STDs, and pregnancy in a required course in any of grades 9, 10, 11, or 12.

Reported teaching how to create and sustain healthy and respectful relationships

- 56.3% of Delaware secondary schools taught students how to create and sustain healthy and respectful relationships in a required course in any of grades 6, 7, or 8.
- 96.6% of Delaware secondary schools taught students how to create and sustain healthy and respectful relationships in a required course in any of grades 9, 10, 11, or 12.

Reported teaching about preventive care that is necessary to maintain reproductive and sexual health

- 52.2% of Delaware secondary schools taught students about preventive care that is necessary to maintain reproductive and sexual health in a required course in any of grades 6, 7, or 8.
- 93.1% of Delaware secondary schools taught students about preventive care that is necessary to maintain reproductive and sexual health in a required course in any of grades 9, 10, 11, or 12.

Reported teaching how to correctly use a condom

- 37.5% of Delaware secondary schools taught students how to correctly use a condom in a required course in any of grades 6, 7, or 8.
- 89.7% of Delaware secondary schools taught students how to correctly use a condom in a required course in any of grades 9, 10, 11, or 12.

Reported teaching about methods of contraception other than condoms

- 41.2% of Delaware secondary schools taught students about methods of contraception other than condoms in a required course in any of grades 6, 7, or 8.
- 96.6% of Delaware secondary schools taught students about methods of contraception other than condoms in a required course in any of grades 9, 10, 11, or 12.

Reported teaching about sexual orientation

- 41.2% of Delaware secondary schools taught students about sexual orientation in a required course in any of grades 6, 7, or 8.
- 86.8% of Delaware secondary schools taught students about sexual orientation in a required course in any of grades 9, 10, 11, or 12.

Reported teaching about gender roles, gender identity, or gender expression

- 41.2% of Delaware secondary schools taught students about gender roles, gender identity, or gender expression in a required course in any of grades 6, 7, or 8.
- 83.0% of Delaware secondary schools taught students about gender roles, gender identity, or gender expression in a required course in any of grades 9, 10, 11, or 12.

Reported providing curricula or supplementary materials relevant to lesbian, gay, bisexual, transgender, or questioning (LGBTQ) youth

- 54.2% of Delaware secondary schools provided students with curricula or supplementary materials that included HIV, STD, or pregnancy prevention information relevant to LGBTQ youth.

Visit the CDC's [School Health Profiles](#) report for additional information on school health policies and practices

The quality of sex education taught often reflects funding available for sex education programs.

To learn more about federal funding streams, [click here](#).